

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Schuler et al.  Application No: 10/601,127  Confirmation No: 5998  Filed: June 19, 2003  Title: SYSTEMS AND METHODS FOR AEROSOLIZING PHARMACEUTICAL FORMULATIONS		Group No: 3773  Examiner: Erez, Darwin P.  Attorney Docket No: 53243-US-CNT[2] (NK.0047.10)  June 10, 2009 San Francisco, California 94107																			
Mail Stop AF Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		<b>Extension of Time</b>  <input type="checkbox"/> Applicant requests an extension of time under 37 C.F.R. 1.136																			
<b>Via EFS</b>  <input checked="" type="checkbox"/> Notice of Appeal <input type="checkbox"/> Comments on Statement of Reasons for Allowance <input type="checkbox"/> Notice of Appeal (form PTO/SB31) <input type="checkbox"/> Drawings <input type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> PTO-SB08 Form <input type="checkbox"/> Citations <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Postcard for Return		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Extension (Months)</th> <th colspan="2" style="text-align: center;">Extension Fee</th> </tr> <tr> <td></td> <th style="text-align: center;">Large Entity</th> <th style="text-align: center;">Small Entity</th> </tr> <tr> <td><input type="checkbox"/> One Month</td> <td style="text-align: center;">\$130.00</td> <td style="text-align: center;">\$65.00</td> </tr> <tr> <td><input type="checkbox"/> Two Months</td> <td style="text-align: center;">\$490.00</td> <td style="text-align: center;">\$245.00</td> </tr> <tr> <td><input type="checkbox"/> Three Months</td> <td style="text-align: center;">\$1,110.00</td> <td style="text-align: center;">\$555.00</td> </tr> <tr> <td align="center" colspan="3"><b>Total \$ 0.00</b></td> </tr> </table> <input checked="" type="checkbox"/> Applicant believes that no extension of term is required. However, this conditional petition is being made in case applicant has inadvertently overlooked the need for a petition for extension of time.		Extension (Months)	Extension Fee			Large Entity	Small Entity	<input type="checkbox"/> One Month	\$130.00	\$65.00	<input type="checkbox"/> Two Months	\$490.00	\$245.00	<input type="checkbox"/> Three Months	\$1,110.00	\$555.00	<b>Total \$ 0.00</b>		
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	Claims remaining after amendment	Highest number previously paid for	Number Extra	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">Rate</th> </tr> <tr> <th style="text-align: center;">Large Entity</th> <th style="text-align: center;">Small Entity</th> </tr> </table>	Rate		Large Entity	Small Entity	Additional Fee												
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Total Claims	8	52	0	\$52.00      \$26.00	\$0.00																
Independent Claims	1	6	0	\$220.00      \$110.00	\$0.00																
Multiple Dependent Claims			0	\$390.00      \$195.00	\$0.00																
Supplemental Information Disclosure Statement																					
<b>Total</b>					<b>\$0.00</b>																
<b>Fee Payment</b>  <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;">Extension Fees</td> <td align="right">\$ 0.00</td> </tr> <tr> <td>Fees for Extra Claims</td> <td align="right">\$ 0.00</td> </tr> <tr> <td>Notice of Appeal</td> <td align="right">\$ 540.00</td> </tr> <tr> <td><b>Total</b></td> <td align="right"><b>\$ 540.00</b></td> </tr> </table>		Extension Fees	\$ 0.00	Fees for Extra Claims	\$ 0.00	Notice of Appeal	\$ 540.00	<b>Total</b>	<b>\$ 540.00</b>	<b>Fee Deficiency</b>  <input checked="" type="checkbox"/> If any additional extension and/or fee is required, please charge Deposit Account No. <u>10-0258</u> and/or  <input checked="" type="checkbox"/> If any additional fee for claims is required, please charge Deposit Account No. <u>10-0258</u> .											
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<input type="checkbox"/> Attached is check no. _____ in the sum of \$ _____. <input checked="" type="checkbox"/> Please charge Deposit Account No. <u>10-0258</u> in the sum of <b>\$540.00</b> .		Please direct telephone calls to: Guy V. Tucker at (415) 538-1555 Please continue to send correspondence to: Guy V. Tucker <b>Janah &amp; Associates, P.C.</b> 650 Delancey Street, #106 San Francisco, California 94107																			
<b>CERTIFICATE OF TRANSMISSION (37 C.F.R. § 1.8a)</b>  I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450; facsimile transmitted to the U.S. Patent Office at (571) 273-8300; or electronically submitted via EFS on the date shown below:  By: <u>Melanie Hitchcock</u> Date: <u>June 10, 2009</u> Melanie Hitchcock		Respectfully Submitted,  <div style="text-align: center;">                       By: <u>Guy V. Tucker</u>      Date: <u>June 10, 2009</u>                      Guy V. Tucker                      Registration No. 45,302                 </div>																			